

05-12-03

1631

DOCKET NO.: ISIS-3455

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#26

Plunkett

5/29/03

In Re Application of:

Lex M. Cowser, et al.

Confirmation No.: 7206

Application No.: 09/295,463

Group Art Unit: 1631

Filing Date: April 13, 1999

Examiner: Ardin H. Marschel

For: IDENTIFICATION OF GENETIC TARGETS FOR MODULATION BY  
OLIGONUCLEOTIDES AND GENERATION OF OLIGONUCLEOTIDES  
FOR GENE MODULATION

EXPRESS MAIL LABEL NO: EV251283947US

DATE OF DEPOSIT: May 9, 2003

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).



In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;  
or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith

## EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references **[list as appropriate]** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

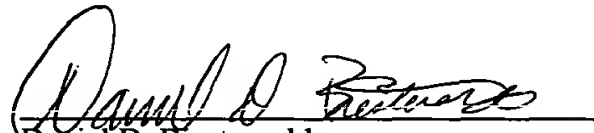
Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Enclosed is a copy of the EPO Supplemental Partial European Search Report dated March 28, 2003 (number 240 on the PTO-1449), which indicates the references considered to be relevant.

There are no listed references which are not in the English language.

Date:

*May 9, 2003*

  
Daniel D. Biesterveld  
Registration No. 45,898

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439



Sheet 1 of 2

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. ISIS-3455	Application No. 09/295,463
		Applicant Lex M. Cowsert, et al.	
		Filing Date April 13, 1999	Group 1631
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	240	Copy of the EPO Supplemental Partial European Search Report dated March 28, 2003 (EP 99 92 2713)	
	241	Ghosh, M.K., et al., "Phosphorothioate-phosphodiester oligonucleotide co-polymers: assessment for antisense application," <i>Anti-Cancer Drug Design</i> , XP-002110959, 1993, 8, 15-32	
	242	Hyndman, D., et al., "Software to determine optimal oligonucleotide sequences based on hybridization simulation data," <i>BioTechniques</i> , XP002932984, June 1996, 20, 1090-1097	
	243	Mitsuhashi, M., "Strategy for designing specific antisense oligonucleotide sequences," <i>J. Gastroenterology</i> , XP-001053065, 1997, 32, 282-287	
	244	Sczakiel, G., et al., "Computer-aided search for effective antisense RNA target sequences of the human immunodeficiency virus type 1," <i>Antisense Res. &amp; Dev.</i> , 1993, 3, 45-52	
	245	Stull, R.A., et al., "Predicting antisense oligonucleotide inhibitory efficacy: a computational approach using histograms and thermodynamic indices," <i>Nucleic Acids Res.</i> , 1992, 20(13), 3501-3508	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

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				Applicant Lex M. Cowser, et al.	
				Filing Date April 13, 1999	Group 1631

U. S. PATENT DOCUMENTS						
Examiner Initial		Document No.	Date	Name	Class	Subclass

FOREIGN PATENT DOCUMENTS						
Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	246	WO 93/04204	03/04/93	PCT		
	247	WO 98/03533	01/29/98	PCT		
	248	WO 98/37242	08/27/98	PCT		

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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